

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
APPEAL NO. 907 OF 2006
IN
NOTICE OF MOTION NO. 3882 OF 2006
IN
SUIT NO. 3189 OF 2006

Jayant Kantilal Parekh & Anr... Appellants.

Versus

Mukesh Nandlal Shah..... Respondent.

Mr. A.Y.Bookwala with Mr.Raj Patel i/by
M/s.Pradip Shukla & Co., for the Appellants.

Mr. A. S. Karwande for the Respondent.

**CORAM : R. M. LODHA, and
S. A. BOBDE, JJ.**

DATED : 21ST DECEMBER, 2006.

P.C.:

We heard Mr. A. Y. Bookwala, Senior Counsel
for the appellants.

2. Mr. A. Y. Bookwala submitted that the
appellants have always been ready and willing to
perform their part of the contract. He invited our
attention to clause no.4 of the agreement and also
letter dated 28th April, 2006 in this connection.

3. We are afraid, the contention of the Senior Counsel cannot be accepted for the reasons indicated by the motion Judge for not granting ad-interim relief with which we find no fault. No case for interference is made out.

4. Appeal is dismissed in limine.

Sd/-

(R. M. LODHA, J.)

Sd/-

(S. A. BOBDE, J.)

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

NOTICE OF MOTION NO. 4458 OF 2006

IN

APPEAL NO. 907 OF 2006

IN

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IN

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Versus
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Mr. A.Y.Bookwala with Mr.Raj Patel i/by
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CORAM : R. M. LODHA, and
S. A. BOBDE, JJ.
DATED : 21ST DECEMBER, 2006.

P.C.:

In view of the dismissal of the appeal itself,
the notice of motion does not survive and is dismissed
as such.

Hearing of the notice of motion is expedited.

Sd/-

(R. M. LODHA, J.)

Sd/-

(S. A. BOBDE, J.)